

Serial No. 09/894,356

### REMARKS

In the Office Action of January 14, 2003, the Examiner rejected Claims 20-38 under the doctrine of obvious double patenting over US 6,280,398; Claims 20-38 under 35 USC 112; Claims 20-21, 23-25, 29-35, and 37 as anticipated by Kothe; Claims 30-32 and 37 as anticipated by Rishton et al; and Claims 30-32 and 36 as anticipated by Suzuki.

This Response amends Claims 20, 30, and 32; cancels claims 37 and 38, and adds claims 39 and 40. Claims 20-36 and 39-40 remaining pending in the application.

Support for the amendment to the claims is found at page 11, lines 7-28, which discloses a flexible eyelet band 56, and that band 56 wraps about the distal end of the probe 10. No new matter is added.

It is respectfully urged that the amendments to the Claims distinguish over the Claims of US 6,280,398, as well as distinguishing over the disclosure of Kothe, Rishton, and Suzuki.

Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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